

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

FELONY

**BILL OF INFORMATION FOR
THEFT OF GOVERNMENT FUNDS**

UNITED STATES OF AMERICA

* CRIMINAL NO.

v.

* SECTION:

ELIZABETH L. HOLIDAY

* VIOLATION: 18 U.S.C. § 641

* * *

The United States Attorney charges that:

COUNT 1 - THEFT OF GOVERNMENT FUNDS

A. AT ALL MATERIAL TIMES HEREIN:

1. From a time unknown but prior to and including August and September of 2005, the defendant, **ELIZABETH L. HOLIDAY**, occupied and used as her primary residence, a home located at 9324 Pritchard Place, New Orleans, 70118, located in the Eastern District of Louisiana.

2. From on or about September 1992 to the present, the defendant, **ELIZABETH L. HOLIDAY**, also owned a home located at 4927 Pecan Street, New Orleans, Louisiana 70126, in the Eastern District of Louisiana, which she did not live in but used as a rental property beginning on or about June 22, 2004 and continuing through August 29, 2005.

3. Hurricane Katrina made landfall in Louisiana on August 29, 2005, and caused widespread damage to the Gulf Coast region of Louisiana, including the New Orleans, Louisiana area.

4. After Hurricane Katrina devastated the New Orleans area, including New Orleans, Louisiana, and as a result of legislation passed by the Congress of the United States of America with the approval of the President of the United States, funds were appropriated to the United States Department of Housing and Urban Development ("HUD"), a department or agency of the United States, for a Community Development Block Grant ("CDBG") for Louisiana Hurricane Katrina victims. The purpose of the CDBG was to assist owners of property damaged or destroyed by Hurricanes Katrina and Rita in August and September 2005. The grant money was disbursed under a program known as the Louisiana Road Home Program ("the Road Home Program"). HUD prepared the rules and regulations governing the disbursement of grant money throughout the State of Louisiana. The State of Louisiana, through the Office of Community Development (OCD), Division of Administration, contracted with ICF International, Inc. to administer the Road Home Program.

5. One of the main requirements for receiving grant money from the Road Home Program was that the damaged property was occupied by and used as the primary residence of the applicant on August 29, 2005.

6. On or about October 24, 2006, the defendant, **ELIZABETH L. HOLIDAY**, submitted her completed application for Road Home Program funds online, declaring in the

application that on August 29, 2005, her primary residence was 4927 Pecan Street, New Orleans, Louisiana 70126.

7. On or about May 3, 2007, in the Eastern District of Louisiana, the defendant, **ELIZABETH L. HOLIDAY**, attended and completed her closing to obtain Road Home Program grant funds. As part of the closing, the defendant, **ELIZABETH L. HOLIDAY**, submitted a completed, signed Road Home Program Grant Recipient Affidavit stating that her primary residence on the date Hurricane Katrina struck Louisiana was 4927 Pecan Street, New Orleans, Louisiana 70126. As a result of her representations, on or about May 14, 2007, the defendant, **ELIZABETH L. HOLIDAY**, received federal funds from the HUD Community Development Block Grant disbursed under Road Home Program in the form of a \$54,566.88 grant.

B. THE OFFENSE:

8. From on or about October 24, 2006, to on or about May 14, 2007, in the Eastern District of Louisiana, the defendant, **ELIZABETH L. HOLIDAY**, did knowingly steal, purloin, and convert to her own use money of the Department of Housing and Urban Development, a department and agency of the United States, to which she knew she was not entitled, having a value of \$54,566.88; all in violation of Title 18, United States Code, Section 641.

COUNT 2 - THEFT OF FEDERAL FUNDS (FEMA)

A. AT ALL TIMES MATERIAL HEREIN:

1. The allegations of Paragraphs A.1 through A.7 of Count 1 are hereby realleged and incorporated herein in their entirety by reference.

2. After Hurricane Katrina devastated the City of New Orleans, the Federal Emergency Management Agency ("FEMA"), an agency or department of the United States, immediately

provided disaster assistance to individuals affected by the storm, including emergency assistance funding. These funds were appropriated to FEMA as a result of legislation passed by the Congress of the United States of America with the approval of the President of the United States.

3. FEMA provided several types of assistance, including the following: (1) temporary housing assistance, which provided funds to individuals who needed to rent an alternative place to live; (2) repair money for homeowners to fix damage from the disaster that was not covered by insurance; (3) replacement money which allowed homeowners to replace a home which was destroyed in the disaster and not covered by insurance; and (4) money for necessary expenses and serious needs caused by the disaster such as medical, dental, funeral, personal property, transportation, moving and storage expenses.

4. As part of its application process, FEMA required applicants to represent that their residence had been damaged by Hurricane Katrina and that they lived at the damaged property at the time of the storm.

5. On or around September 2, 2005, the defendant, **ELIZABETH L. HOLIDAY**, submitted an application to FEMA for expedited housing assistance, indicating that she lived at 4927 Pecan Street, New Orleans, Louisiana 70126 at the time of Hurricane Katrina.

6. As a result of the defendant's false representation on her application dated September 2, 2005, that she lived at 4927 Pecan Street, New Orleans, Louisiana 70126 at the time of Hurricane Katrina, FEMA made the following distribution of emergency assistance grants:

#	Date	Amount	Type of Assistance
1	9/9/05	\$2,000	expedited housing
2	9/24/05	\$2,358	rental assistance
3	3/3/06	\$2,550	rental assistance
4	4/19/06	\$11,730	personal property
5	6/12/06	\$2,744	rental assistance
Total			\$21,382.35

7. In total, the defendant, **ELIZABETH HOLIDAY**, received \$21,382.35 in expedited housing, rental, and personal property assistance.

B. THE OFFENSE:

8. From on or about September 2, 2005, to on or about April 21, 2006, in the Eastern District of Louisiana, the defendant, **ELIZABETH L. HOLIDAY**, did knowingly steal, purloin, and convert to her own use money of the Federal Emergency Management Agency, a department and agency of the United States, to which she knew she was not entitled, having a value of \$21,382.35; all in violation of Title 18, United States Code, Section 641.

NOTICE OF FORFEITURE

1. The allegations in this superseding Bill of Information are re-alleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 18, United States Code, Sections 641, and 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c).

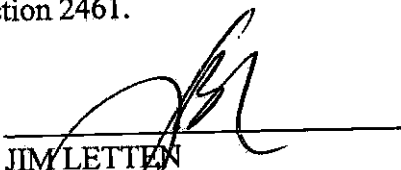
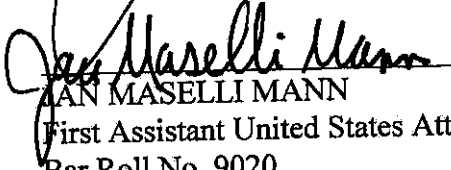
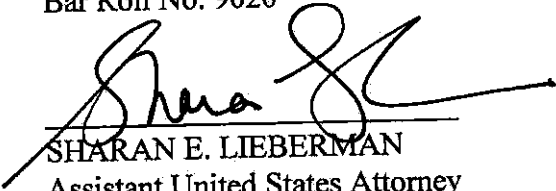
2. As a result of the offenses alleged herein, the defendant, **ELIZABETH L. HOLIDAY**, shall forfeit to the United States pursuant to Title 18, United States Code, Sections 641, and 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461, any and all property, real or personal, which constitutes or is derived from proceeds traceable to a violation of Title 18, United States Code, Section 641.

3. If any of the property subject to forfeiture pursuant to Paragraph 2 of this Notice of Forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

All in violation of Title 18, United States Code, Sections 641, and 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461.


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New Orleans, Louisiana
February 5, 2010